

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

No. 7:12-CR-00057-F-1

No. 7:14-CV-00191-F

COREY CONNELL CARROLL,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

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ORDER

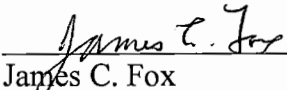
This matter is before the court on Corey Connell Carroll's Motion Pursuant to Rule 59(e) [DE-250], which the court construes as a motion for reconsideration. In his motion, Carroll renews arguments made in his Motion to Vacate, Request for Leave to File Supplemental Motion, Motion Pursuant to Federal Rules of Evidence, and Motion to Amend.

Rule 59(e) of the Federal Rules of Civil Procedure permits a court to alter or amend a judgment. Fed. R. Civ. P. 59(e). Although the rule itself does not set forth any guidelines as to when such a motion should be allowed, the Fourth Circuit Court of Appeals has recognized three grounds for amending a judgment pursuant to Rule 59(e): "(1) to accommodate an intervening change in controlling law; (2) to account for new evidence not available [previously]; or (3) to correct a clear error of law or prevent manifest injustice." *Sloas v. CSX Transp., Inc.*, 616 F.3d 380, 385 n.2 (4th Cir. 2010) (alteration added and citation omitted). "It is an extraordinary remedy that should be applied sparingly." *Mayfield v. Nat'l Ass'n for Stock Car Auto Racing, Inc.*, 674 F.3d 369, 378 (4th Cir. 2012). A "district court has considerable discretion in deciding whether to modify or amend a judgment." *Gagliano v. Reliance Standard Life Ins. Co.*, 547 F.3d 230, 241 n.8 (4th Cir. 2008).

Following a review of the record, including the court's May 26, 2016 Order [DE-248], the court sees no meritorious reason to disturb its ruling. Accordingly, Carroll's Motion Pursuant to Rule 59(e) [DE-250] is DENIED.

SO ORDERED.

This, the 30 day of June, 2016



James C. Fox
Senior United States District Judge